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19 Bank of America, National Association
20 (erroneously sued as "Bank of America")

21 UNITED STATES DISTRICT COURT

22 NORTHERN DISTRICT OF CALIFORNIA

23 RICHARD ADAME, CONNIE G.
24 BENDER, and CONSTANCE DAVIS

25 Plaintiff,

26 v.

27 BANK OF AMERICA, NATIONAL
28 ASSOCIATION (erroneously sued as
"Bank of America")

29 Defendant.

30 Case No. CV 09-0129 SI

31 **STIPULATED REQUEST TO RESERVE
32 HEARING DATES FOR DEFENDANT'S
33 MOTIONS FOR SUMMARY JUDGMENT**

34 Judge: Hon. Susan Illston

STIPULATION

1. Defendant Bank of America, N.A. intends to file three motions for summary judgment (one as to each Plaintiff).

2. The parties hereto through their respective attorneys of record hereby stipulate and agree to set the hearings for Defendant's first motion for on June 11, 2010 at 9:00 a.m. The motion will follow the regular briefing schedule.

3. The parties hereto through their respective attorneys of record hereby stipulate and agree to set the hearings for Defendant's second motion for July 16, 2010 at 9:00 a.m. The motion will follow the regular briefing schedule.

4. The parties hereto through their respective attorneys of record hereby stipulate and agree to set the hearings for Defendant's third motion for September 17, 2010 at 9:00 a.m. Defendant's opening brief shall be filed on or before July 23, 2010. Plaintiff's brief in opposition shall be filed on or before August 6, 2010. Defendant's reply brief shall be filed on or before September 3, 2010.

5. Both parties agree to the stipulation as indicated by their signatures below. The parties respectfully request that the Court approve the Stipulation and enter an Order thereupon. A form of proposed Order is filed herewith.

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1 Respectfully submitted,

2 Dated: April 12, 2010

3 J. GARY GWILLIAM
4 RANDALL E. STRAUSS
5 GWILLIAM, IVARY, CHIOSSO, CAVALLI &
6 BREWER

7 By: /s/Randall E. Strauss

8 Randall E. Strauss
Attorneys for Plaintiffs
Richard Adame, Connie G. Bender
and Constance Davis

9 Dated: April 12, 2010

10 PATRICIA K. GILLETTE
11 GREG J. RICHARDSON
12 ORRICK, HERRINGTON & SUTCLIFFE LLP

13 By: /s/ Patrick K. Gillette

14 Patricia K. Gillette
Attorneys for Defendant
Bank of America, National Association

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16 Orrick attests that concurrence in the filing of the document has been obtained from the other signatory,
17 which shall serve in lieu of their signature on the document.

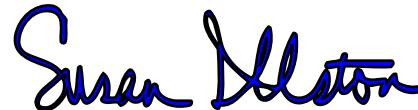
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19 **ORDER**

20 The Court having considered the above Stipulation, and good cause appearing therefore,

21 IT IS HEREBY ORDERED that hearing dates for Defendant's Motions for Summary

22 Judgment shall be reserved for June ~~11~~¹⁸, 2010; July 16, 2010; and September 17, 2010 at 9:00 a.m. The
23 parties' modified briefing schedule is hereby adopted.

24
25 Hon. Susan Illston

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UNITED STATES DISTRICT JUDGE

STIPULATED REQUEST TO RESERVE HEARING DATES

Case No. CV 09-0129 SI